



Legal Presence Requirements

Information requested on behalf of New Mexico & AAMVA
Last updated: 3/15/11

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Jurisdiction Respondent Email Address	Do you have a legal presence requirement for driver license and/or ID card application / issuance?	If yes, is the requirement specified in state statute or administrative rule, or is the legal presence requirement based on other requisite(s)? IF statute, please provide the statutory citation.	If based on other requisites, please describe.	What documents are acceptable to provide proof of legal presence?
Alaska Kerry Hennings Kerry.hennings@alaska.gov	Yes	Regulation 2 AAC 90.420	n/a	b) An applicant for an original driver's license must furnish v the applicant's date of birth, and one form of identification to legal name. The form of identification for proof of date of birth consist of one of the following: (1) a certified original or certified copy of the applicant's United (2) a United States passport issued by the United States Depart (3) a foreign passport with the appropriate Immigration Sta United States Department of Homeland Security, United Immigration Service; (4) a resident alien, temporary resident alien, or employ document issued by the United States Department of Homeland Citizenship and Immigration Service; (5) a United States armed forces active duty, retiree, or reservi (6) other evidence of comparable validity; in this paragraph, validity" includes items such as a United States government Birth Abroad or a court order.
Arizona Donna Dailey ddailey@azdot.gov	Yes	Arizona Revised Statute requires all DL/ID applicants to provide proof of legal presence in the United State. Statute reference A.R.S.§§ 28-3153.D, 28-3158.C. and 28-3165.F.	N/A	<u>Primary (must include Date of Birth)</u> Two documents listed below - one must have a clear photo of t documents listed below with no photo. One must be listed und <ul style="list-style-type: none"> • Driver License or Instruction Permit issued by any state, te the US, except per Arizona law for states that do not verify • Enhanced Driver License/Enhanced ID Card issued by any : possession of the US • Birth Certificate issued by any state, territory or possessor • Delayed Birth Certificate • US Certificate of Birth Abroad • US Passport or Passport Card • Foreign Passport with US Visa or Visa Waiver I-94 (Green) (classes WB & WT eligible for ID Card only) • Permanent Resident Card/Resident Alien Card, I-551 • US Citizenship and Immigration Services, Employment Aut 688A, I-688B, I-766) • US Citizenship and Immigration Services, Refugee Travel C

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Arizona, <i>continued</i>				<ul style="list-style-type: none"> • US Certificate of Naturalization • US Certificate of Citizenship • Arizona ID Card • Tribal Certificate of Indian Blood • Tribal or Bureau of Indian Affairs Affidavit of Birth • US Military DD-214 • US Military ID Card (active duty, reserve and retired) • Record of a previous AZ driver license, ID Card or Instructional Permit • Affidavit of Identification (with photo and within 15 days of issuance) • Department of Corrections or Maricopa County Adult Probation Department Released Offender ID (with photo) from Arizona Department of Corrections • ALPHA Program/Community Re-Entry ID from the Maricopa County Sheriff's Office <p><u>Secondary (does not have to include Date of Birth)</u></p> <ul style="list-style-type: none"> • Driver License, Instruction Permit or ID Card issued by any state, territory or possession of the US • AZ Certificate of Birth (Foreign Born) • US Military Dependent ID Card • US Armed Forces Driver License • US Department of Veterans Affairs Card • US Department of Justice Inmate ID Card • Social Security Card • Motor Vehicle Record or Clearance Letter (within 30 days of issuance) • Legal Guardian Certificate • Selective Service Card • W-2 Form • Concealed Weapons Permit • Medical Insurance ID Card (including AHCCCS ID Card) • Professional License • Bank Card • Credit Card • Employee ID Badge (with photo) • School ID (with photo) • Marriage Certificate issued by any state, territory or possession of the US • Certified Letter of Identification for a Ward of the Court, issued by a government agency in the US • Decrees from Court of Record (Adoption, Bankruptcy, Divorce)

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				Guardian, Name Change
Arkansas Julie Gaither Julie.gaither@dfa.arkansas.gov	Yes	State statute requires all DL/ID applicants to provide proof of legal presence. Ark. Statute §27-16-1101	N/A	<ul style="list-style-type: none"> • U.S. Passport • U.S. Birth Certificate • U.S. Visa • Photo document from DHS – Department of Homeland Security Immigration Service (No Border crossing cards) • Photo Military/Military Dependent ID/Military Discharge Paper • Naturalization Certificate • Certificate of Birth Abroad
Colorado Sue Ankele sankele@spike.dor.state.co.us	Yes	State statute requires all DL/ID applicants to provide proof of lawful presence. DL proof is in Co. Revised Statute §42-2-104(3)(d)&(e) and also § 42-2-107 (b)(II)(c). ID proof is in Co. Revised Statute §42-2-302 (2)(a)&(b) and in §42-2-302(3)(a)(III)		<ul style="list-style-type: none"> • CO license(expired less than 10 yrs, image on file) • CO ID (expired less than 10 yrs, image on file) • U.S. Passport • Out of State DL/ID from a state requiring lawful presence • Foreign Passport with photo, U.S. Visa, I-94 • Valid Military ID/Common Access Card • Cert. of Naturalization with photo • Cert. of Citizenship with photo • Valid I-551 • Valid EAD/Temporary Resident • Refugee/Asylee I-94 with photo
Connecticut Lynn Blackwell Lynn.blackwell@ct.gov	Yes	Regulations of State Agencies Section 14-137-64a; Must prove legally present, and commissioner may revoke if no longer legally present.		<p>U.S. Citizenship and Immigration Services (USCIS) documents (unexpired document) as follows:</p> <p>Certificate of Naturalization</p> <p>Certificate of Citizenship</p> <p>Permanent Resident Card</p> <p>I-551 Stamp contained in valid foreign passport</p> <p>I-94 card contained in valid foreign passport</p> <p>Alien Registration Receipt card (Resident Alien Card)</p> <p>Temporary Resident card</p>

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Connecticut, <i>continued</i>				<p>Employment Authorization card</p> <p>Refugee Travel document</p> <p>Other Requirements:</p> <p>Holders of a B1 or B2 Visitor's Visa are not eligible for a driver's card unless a valid USCIS Employment Authorization Card and application pending for Adjustment of Status Lawful to Permanent Resident.</p> <p>Foreign students with an F1 Visa status must show USCIS document of current enrollment in a Connecticut school</p> <p>Foreign students/F1 Visa with Employment Authorization Card I completion opt" (optional practical training) must also present a</p> <p>J1 Visa holders are required to show USCIS document DS2019</p> <p>H1B Visa holders are required to have a verification letter from employers. H1B Visa holders are not required to show a valid USCIS Employment Authorization Card. A valid USCIS Employment Authorization Card can be used as a document</p>
Delaware Scott Vien Scott.vien@state.de.us	Yes	<p>State Statute requires all DL/ID applicants to provide proof of legal presence, and limits driver licenses and identification cards to the length of a person's legal presence within the United States.</p> <p>21 <u>Del. C.</u> § 2715 (a) and § 3103 (a)</p>	<p>Two administrative regulations also detail this requirement.</p> <p>Delaware Transportation Administrative Codes 2217 Section 6.0 and Transportation Administrative Code 2220.</p>	<ul style="list-style-type: none"> ▪ Valid, unexpired United States passport ▪ Certified copy of a birth certificate filed with a state or equivalent agency in the individual's state of birth; ▪ Consular Report of Birth Abroad (CRBA) issued by the United States, Form FS-240, DS-1350 or FS-545; ▪ Valid, unexpired Permanent Resident Card (Form I-551) is Department of Homeland Security or Citizenship and Immigration ▪ Unexpired employment authorization document (EAD) issued 766 or Form I-688B; ▪ Unexpired foreign passport with a valid, unexpired United States visa accompanied by the approved I-94 form documenting the admittance into the United States. Applicants presenting a SSN or demonstrate non-work authorization status ▪ Certificate of Naturalization issued by the DHS, Form N-550 ▪ Certificate of Citizenship, Form N-550 or Form N-561, issued ▪ Such other documents as the DHS may designate by notice in the Federal Register.

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Florida Alan Busenbark alanbusenbark@flhsmv.gov (850) 617-2648	Yes	Florida statute requires all DL/ID applicants to provide proof of legal preference. Statutory citation is 322.08. http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0322/Sections/0322.08.html	N/A	<ul style="list-style-type: none"> • An original or certified copy of a U.S. Birth Certificate issued • Valid unexpired U.S. Passport • Valid unexpired U.S. Passport Card (issued by DHS) • Certificate of Citizenship • Certificate of Naturalization • Certificate of Birth Abroad • Passport issued by another country, with appropriate immigration • I-551 – Residence Alien Card – issued since 1997 • I-688A or B – Employment Authorization • I-766 – Employment Authorization • A notice of hearing from an immigration court scheduling a proceeding. • A notice from the Board of Immigration Appeals acknowledging appeal. • A notice of the approval of an application for adjustment of United States Bureau of Citizenship and Immigration Services • Any official documentation confirming the filing of a petition for status or any other relief issued by the United States Bureau of Immigration Services. • A notice of action transferring any pending matter from another state issued by the United States Bureau of Citizenship and Immigration Services. • An order of an immigration judge or immigration officer granting authorization for the alien to live and work in the United States, including, but not limited to, asylum. • Evidence that an application is pending for adjustment of status of a lawfully admitted permanent resident in the United States, if a visa number is available and a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.
Hawaii Dennis Kamimura dkamimura@honolulu.gov	Yes, but implementation has been delayed to Aug-Sep 2011	Statute and Admin Rules which has not yet been adopted. Act 38: http://www.capitol.hawaii.gov/session2010/bills/GM496_.PDF	N/A	Same as above

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Idaho Ed Pemble Ed.pemble@itd.idaho.gov	Yes	Statute. Section 49-306, Idaho Code: (2) Every application shall state the true and full name, date of birth, sex, declaration of Idaho residency, Idaho residence address and mailing address, if different, of the applicant, height, weight, hair color, and eye color, and the applicant's social security number as verified by the social security administration. If an applicant has submitted an application pursuant to the provisions of <u>chapter 58, title 19</u> , Idaho Code, then the applicant may state, in his or her application pursuant to this section, the applicant's alternative Idaho mailing address in place of his or her Idaho residence address and mailing address. (a) The requirement that an applicant provide a social security number as verified by the social security administration shall apply only to applicants who have been assigned a social security number. (b) An applicant who has not been assigned a social security number shall: (i) Present written verification from the social security administration that the applicant has not been assigned a social security number; and (ii) Submit a birth certificate, passport or other documentary evidence issued by an entity other than a state or the United States; and	N/A	LAWFUL PRESENCE CATEGORIES AND DOCUMENTS 1 – Citizen/National – eligible for a 4-year or 8-year DL/ID card <ul style="list-style-type: none"> • U.S. birth certificate or • U.S. Certification of Birth Abroad or • U.S. Certificate of Citizenship or U.S. Certificate of Naturalization 2 – Permanent Resident – eligible for a 4-year or 8-year DL/ID card <ul style="list-style-type: none"> • Permanent Resident card or • SAVE verification 3 – Conditional Permanent Resident Status – DL/ID expires same date as conditional status <ul style="list-style-type: none"> • Permanent Resident card valid for 2 years or • An expired 2-year Permanent Resident card and I-797 the card 1 year until they get a 10-year card 4 – Approved Asylee or Refugee – DL/ID card expires one year <ul style="list-style-type: none"> • Asylee (approved application): Employment Authorization card or letter of approved application • Refugee: Employment Authorization card – 1 or 2 year 5 – Valid, Non-Immigrant VISA – DL/ID card expires same date as visa <ul style="list-style-type: none"> • I-94 or Employment Authorization card stating the length of stay • Note: Do not issue to B1, B2, WB, WT (visitors for 90 days or less) • Passport, U.S. Visa, and I-94 -expiration date will be controlled by the visa expiration date (if D/S (duration of stay), issue for one year. 6 – Pending application for Asylum – DL/ID card expires same date as pending application <ul style="list-style-type: none"> • Employment Authorization card 7 – Pending or approved Temporary Protected Status (TPS) – DL/ID card expires same date as TPS <ul style="list-style-type: none"> • Employment Authorization card 8 – Deferred Action Status – DL/ID card expires same date as deferred action <ul style="list-style-type: none"> • Employment Authorization card 9 – Pending application for Adjustment Status – DL/ID card expires same date as pending application <ul style="list-style-type: none"> • Employment Authorization card – CO9 category

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Idaho, <i>continued</i>		<p>(iii) Submit such proof as the department may require that the applicant is lawfully present in the United States.</p> <p>A driver's license or any instruction permit issued on and after January 1, 1993, shall not contain an applicant's social security number. Applications on file shall be exempt from disclosure except as provided in sections <u>49-202</u>, <u>49-203</u>, <u>49-203A</u> and <u>49-204</u>, Idaho Code.</p> <p>Every application for a class A, B or C license shall state where the applicant has been licensed for the preceding ten (10) years and all applications shall also state whether the applicant has previously been licensed as a driver, and if so, when and by what state or country, and whether a driver's license or privileges have ever been suspended, revoked, denied, disqualified, canceled or whether an application has ever been refused, and if so, the date of and reason for the suspension, revocation, denial, disqualification, cancellation or refusal and the applicant's oath that all information is correct as signified by the applicant's signature.</p> <p>The applicant must submit proof of identity acceptable to the examiner or the department and date of birth as set forth in a certified copy of his birth certificate. When a certified copy of his birth certificate or a delayed birth certificate is impossible to obtain from a</p>		

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Idaho, <i>continued</i>		vital statistics agency, another government issued document may be submitted that provides satisfactory evidence of a person's full legal name and date of birth acceptable to the examiner or the department.		
Illinois JoAnn Wilson, JWilson@ilsos.net	No, for driver's license and identification cards. However, we do issue a temporary visitor's driver's license (TVDL) and applicants for that license must be able to prove legal residency.	Administrative Rules Section 1030.11 and Section 1030.Appendix B	N/A	When applying for a TVDL, the applicant shall submit one document and two documents from Group D to prove name, date of birth, legal presence and verification of signature. TVDL applicants are documents verifying social security numbers. Instead, they shall use letterhead, issued within 90 days prior to the date of application. The following is a link to the acceptable identification documents in www.ilga.gov/commission/jcar/admincode/092/09201030ZZ99
Iowa David Stutz David.stutz@dot.iowa.gov	Yes	Section 321.196(1), Code of Iowa. http://coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=IowaCode	n/a	Iowa Administrative Code – Chapter 761-601.5(2). This how the rule reads today. However, there are pending changes to the rules that will position us to comply with the REAL ID mandate. (4) United States Citizenship and Immigration Service documents 1. Certificate of Naturalization (N-550, N-570 or N-578). 2. Certificate of Citizenship (N-560, N-561 or N-645). 3. Permanent Resident Card (I-551). 4. Record of Arrival and Departure (I-94) with attached photo and "Temporary Proof of Lawful Permanent Resident." 5. "Processed for I-551" stamp in a valid foreign passport. 6. Travel Document indicating Permit to Re-enter (I-327) or Re-entry (I-571). 7. Record of Arrival and Departure (I-94) in a Certificate of Identity (I-197). 8. Employment Authorization Card (I-688A, I-688B, or I-766). 9. Record of Arrival and Departure (I-94) stamped "Refugee," "Asylee." 10. Record of Arrival and Departure (I-94) coded Section 207 (Asylum), Section 209 (Refugees), Section 212d(5) (Parolee), HP (Humanitarian)

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Louisiana Kimberly Graham kimberly.graham@dps.la.gov	Yes	State statute and LA Administrative Code requires applicants to provide proof of legal/lawful presence. LA State Statute RS 32:409.1	N/A	(Public Interest Parolee). <ul style="list-style-type: none"> • A certified copy of birth certificate, original birth certificate registration card with raised agency seal from vital statistics • I-551 - Permanent Resident Alien Card • I-688B and I-766 - Employment Authorization Card • I-94 - Arrival Departure Record • I-129 - Petition for a Non-Immigrant Worker • I-485 - Application to Register Permanent Residence or Adjust Status • I-20 - Certificate of Eligibility for Non-immigrant Student and Language • I-20 AB (if employed) • I-20MN - Certificate of Eligibility for Non-immigrant (M) Vocational Students • DS-2019 - Certificate of Eligibility for Exchange Visitor VISA • PASSPORT (foreign passports must be stamped and accompanied by immigration documents) • Certificate of naturalization (can not be a copy) • Certification of birth abroad issued by the United States • Native American tribal document • I-571 • I-327 *one or a combination of the documents may be required depending on the individual's circumstances.

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Maryland Chrissy Nizer cnizer@mva.maryland.gov	Yes for all new applications	In statute, TR 16-103.1 (10) and the Code of Maryland Regulations 11.17.09.04	N/A	(1) Valid, unexpired U.S. passport; (2) Birth certificate as defined in Regulation .02 of this chapter; (3) Consular Report of Birth Abroad (CRBA) issued by the U.S. (DOS), Form FS-240, DS-1350, or FS-545; (4) Valid, unexpired Permanent Resident Card, Form I-551, issued by the U.S. DHS; (5) Certificate of Naturalization, form N-550 or N-570 issued by the U.S. DHS; (6) Certificate of Citizenship, Form N-560 or N-561 issued by the U.S. DHS; (7) Unexpired foreign passport with a valid, unexpired U.S. visa or the approved I-94 form documenting the applicant's most recent lawful U.S. entry; (8) Unexpired employment authorization documents (EAD), Form I-766, issued by the U.S. DHS; (9) Other acceptable documentation issued by the U.S. DHS or other federal, state, or local government agency to establish lawful status.
Minnesota Sue Kendrick Sue.kendrick@state.mn.us	Yes	Minnesota Rule 7410.0100 to 7410.0600 requires all DL/ID applications to provide proof of legal presence. An applicant must present a primary and secondary document or two primary documents.	N/A	Primary Documents <ul style="list-style-type: none"> • Certified birth record issued by a government bureau of health in the United States, District of Columbia, Guam, United States Virgin Islands. • Certificate of Birth Abroad (FS-545 or DS-1350) issued of State. • Report of Birth Abroad of a United States Citizen (FS-240) issued by a U.S. embassy. • Certified adoption certificate from a U.S. Court • Valid, unexpired U.S. passport book or card. • Secure, unexpired Minnesota Tribal identification card. • Unexpired active duty, reserve or retired U.S. military identification card (including Geneva Conventions Common Access Card.) • Valid, unexpired passport from a country other than the United States with an unexpired I-94 form or with an unexpired I-551 stamp. • Canadian birth or naturalization certificate with an unexpired U.S. visa (Must be presented with a photo Secondary Document issued by a U.S. government agency.) • One of the following valid, unexpired documents issued by the U.S. Department of Justice or U.S. Department of Homeland Security. <ul style="list-style-type: none"> - Employment Authorization card with photo (I-688 or I-766) - Permanent Resident or Resident Alien card (I-551)

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Minnesota, <i>continued</i>				<p>*Federal regulations (8 CFR Sec. 264.5) state that 14 are not valid if the cardholder is age 14 or older before age 16).</p> <ul style="list-style-type: none"> - Re-entry Permit/Refuge Travel Document (I-327, I-329) - Certificate of Naturalization (N-550, N-570, or N-578) - Certificate of Citizenship (N-560, N-561, or N-645) - United States Citizen Identification card (I-179 or I-225) - Northern Mariana Card (I-873) - American Indian Card (I-872) <p>Secondary Documents</p> <ul style="list-style-type: none"> • Another primary document. • Photo driver's license, state identification card, or passport other than Minnesota, the District of Columbia, Guam, Virgin Islands, or a Canadian province or territory, that is five years or less. • U.S. social security card (nonmetal) or Canadian social security card. • Certified birth certificate from a government jurisdiction other than the Virgin Islands. • Certified government-issued marriage certificate. • Certified U.S. or Canadian court order with full name and date of birth. • Certified secondary or post-secondary school transcript with name and date of birth. • Current secondary school (grades 7-12) student identification card with student's name, photograph, and date of birth or unique identifier. • Government employee photo identification card from a U.S. or Canadian government agency. • Current identification card (DD-1173 or DD-214) issued by the Department of Defense. • Unexpired color-photo permit to carry a firearm or carry a concealed weapon issued by a U.S. police department or sheriff. • Current pilot's license issued by the Federal Aviation Administration.
Mississippi Captain P.G. Parker pparker@mdps.state.ms.us	Yes	Residency State Statute 63-1-19 Non-U.S. Citizen Policy	N/A	Residency: Electric bill, Water bill, car tag receipt. Etc. Non-U.S. Citizen: Proper INS papers

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ms.us				Birth Certificate (translated in English) Social Security (If obtained) Proof of residency
Missouri Gena Ahlers Gena.Ahlers@dor.mo.gov	Yes	The requirements are specified in the following Missouri Statute: 302.011, 302.130, 302.171, 302.177, 302.181, 302.720 and 302.735. Requirements are also in our Administrative Rules.	N/A	Refer to Missouri's Code of State Regulations (12 CSR-10-24.4 documents to provide proof of legal presence. http://www.sos.mo.gov/adrules/csr/current/12csr/12c10-24.pdf
New Hampshire William R. Joseph william.joseph@dos.nh.gov	Yes	State statute requires all DL/ID applicants to provide proof of legal residence. Statutory citation is RSA 263:35	N/A	<ul style="list-style-type: none"> • Permanent Resident Card • Employment Authorization Card • Working, Student Visas
New Jersey Robert Porreca Robert.Porreca@dot.state.nj.us	Yes	In order to obtain licenses and permits at MVC, you must prove your identity by passing 6 Point ID Verification. 6 Point ID Verification was designed to help prevent identity theft by ensuring that licenses are only issued with proper legal documents and verification. This requires you to prepare information prior to visiting an MVC Agency, possibly resulting in special document requests from other state agencies.	n/a	<p>All documents must be the original or a certified copy and have municipal seal. Visit the Bureau of Vital Statistics web site to obtain documents.</p> <p>You must present at least one primary document. U.S. Citizens' primary document Non-U.S. Citizens' primary document</p> <p>You must present at least one secondary document. You must not present more than two (2) secondary documents point.</p> <p>If your current legal name is different from the name on your primary document, for example, in a primary document such as a birth certificate you (maiden name), you must submit proof supporting the change to your legal name. Such proof may include a certified marriage certificate, divorce decree, etc. The supporting documents submitted must link your current name to your primary document.</p> <p>All documents must be the original or a certified copy and have municipal seal. Visit the Bureau of Vital Statistics web site to obtain documents. http://www.nj.gov/mvc/pdf/Licenses/ident_ver_posterprint.pdf</p>
New York	Enhanced Driver	Citizenship for EDL issuance is required	Allowable proof	Required Proof for EDLs and Non EDLs

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<p>David Sampson David.Sampson@dmv.ny.gov</p> <p>New York, <i>continued</i></p>	<p>Licenses (EDL)/ID's issued under the Western Hemisphere Travel Initiative require proof of citizenship. All other applicants must provide documentation supporting date of birth and name.</p>	<p>by federal statute.</p>	<p>documents for non-EDL licenses and ID's is established by policy.</p>	<ul style="list-style-type: none"> • US Social Security Card • US Passport or Passport Card or • Certificate of Naturalization or • US or US Territory Birth Certificate or • US DOS Consular Report of Birth Abroad <p>Required proof of DOB for Non EDL's</p> <ul style="list-style-type: none"> • US Military Photo ID Card • Valid I-766 - Employment Authorization Card • Valid I-551 - Residence Alien Card • I-327 - Re-entry Permit • I-571 - Refugee Travel Document • Foreign Passport with a valid I-551 stamp or with a statement in English or translated by an embassy) • Foreign Passport with a VISA and a valid I-94 (in English or translated by an embassy)
<p>North Carolina</p> <p>Brenda Freeman brendafreeman@ncdot.gov</p>	<p>Yes</p>	<p>General Statute 20-7 (f) (3)</p>	<p>N/A</p>	<ul style="list-style-type: none"> • An original or certified copy of a U.S. Birth Certificate issued • Valid U.S. Passport • U.S. Passport Card (issued by DHS) • Certificate of Citizenship • Certificate of Naturalization • Certificate of Birth Abroad • Passport issued by another country, with appropriate immigration documents • I-551 - Residence Alien Card - issued since 1997 • I-688A or B - Employment Authorization • I-766 - Employment Authorization • I-94 - Arrival/Departure Document • I-20 SEVIS Form with supporting immigration documents • DS2019 SEVIS Form with supporting immigration documents • I-797 Notice of Action with supporting immigration documents • I-512L Form with supporting immigration documents • I-571 Refugee Travel document with supporting immigration documents • I-327 Permit/Re-enter with supporting immigration document • Machine Readable Immigrant Visa with Temp I-551 language • Temporary I-551 Stamp on Passport or I-94 • WT/WB stamp in Passport

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North Dakota Syndi Worrel sworrel@nd.gov	Yes	State Statute; North Dakota Century Code 39-06-07.1	N/A	<ul style="list-style-type: none"> • State Certified Birth Certificate • Valid U.S. Passport or Passport Card • U.S. Government-issued Consular Report of Birth Abroad (required) • Valid unexpired Foreign Passport with appropriate immigration • U.S. Court Order for Adoption • I-551 Permanent Resident Card • I-766 Employment Authorization Card • N560 Certificate of Citizenship • N550 Certificate of Naturalization • I-94 card stamped Refugee/Asylee/Parolee • I-571 Refugee Travel Document
Oklahoma Department of Public Safety Sherri Becker sbecker@dps.state.ok.us	Yes	State Statute Title 47 chpt.6-103A.9 Title 47 Chpt.6-105.3.A	N/A	A Certified Birth Certificate issued by the appropriate state agency A United States Passport. Consular Report of Birth Abroad issued by US Dept of State. Certificate of Naturalization issued by USCIS. Oklahoma Driver License or Oklahoma Identification Card original Nov.1 2007. I-551 Alien Resident Card Passport issued by another country, with appropriate immigration be "visitor only" Status shall be eligible for Oklahoma residency
Ontario Andrew O'Connor Andrew.O'Connor@ontario.ca	No	N/A	N/A	N/A
Oregon Daniel Thompson daniel.d.thompson@dot.state.or.us	Yes	State statute (ORS 807.021) requires all applicants for an original, renewal or replacement DL/ID to provide proof of legal presence. Once a US citizen or permanent legal resident provides proof of legal presence, DMV marks the customer record to indicate that legal	n/a	Examples of accepted legal presence proof: <ul style="list-style-type: none"> • Birth Certificate issued by a U.S. Federal, State or Local Government • U.S. Passport • U.S. Consular Report of Birth Abroad (FS-240) • Request for Verification of Birth (DD372) • Oregon-approved Tribal ID Card • Certificates of Naturalization or Citizenship

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		presence proof does not need to be viewed again. Temporary legal residents must provide proof at every issuance.		<ul style="list-style-type: none"> • Valid Foreign Passport containing valid Arrival/Departure Fo • Employment Authorization Card • Permanent Resident Card • ...and several others <i>A complete list of accepted documents and the various requirer documents is found in Oregon Administrative Rule (OAR 735-06 Oregon DMV website.</i>
Pennsylvania Denise Gross degross@state.pa.us Pennsylvania, <i>continued</i>	Yes	Title 75 of the PA Consolidated Statutes requires all Driver License, Photo ID, and Permit applicants to provide proof of legal presence. The Department may issue a license if the person will lawfully be in the United States for a period of one year or more after the date of the application or for a shorter period of time if deemed appropriate by the Department. Issuance of drivers' licenses to non-U.S. citizens requires PennDOT to verify 1) one-year legal presence in the United States through INS documents and 2) the driver's license expiration date is concurrent with the expiration date on the INS credentials. 75 PA Code Chapter 15, Subchapter 1506 (a.1) and Act 152	N/A	Document requirements are dependent on immigration status a PUB 195NC which is available at: http://www.dot4.state.pa.us/pdotforms/fact_sheets/pub195nc
Quebec Daniel MacDuff daniel.macduff@saag.gouv.qc.ca	Yes, we do request legal presence for a DL. We do not issue ID cards.	We only issue DLs to people who have established themselves in Quebec. They must provide a valid address in Quebec which must be their main place of residence. We also require proof of legal	N/A	<ul style="list-style-type: none"> - Canadian Birth Certificate issued only by Vital Statistics from - Certificate of Citizenship - Canadian permanent resident card - IMM1000 and IMM1443 issued only by Citizenship and Immig - Passports are not accepted because they are not a source doc

Jurisdiction Respondent Email Address	Do you have a legal presence requirement for driver license and/or ID card application / issuance?	If yes, is the requirement specified in state statute or administrative rule, or is the legal presence requirement based on other requisite(s)? IF statute, please provide the statutory citation.	If based on other requisites, please describe.	What documents are acceptable to provide proof of legal presence
		presence in Canada.		
South Dakota Cindy Gerber Cindy.gerber@state.sd.us South Dakota, <i>continued</i>	Yes	State statute requires all DL/ID applicants to provide proof of legal preference. SDCL 32-12-3.3	N/A	(1) A certified copy of a United States birth certificate filed with vital records or equivalent agency; (2) A consular report of birth abroad (United States Department of State Form DS-1350, or FS-545); (3) A valid, unexpired permanent resident card (form I-551) issued by the United States Department of Homeland Security or Immigration and Naturalization Service; (4) An unexpired employment authorization document issued by the United States Department of Homeland Security (form I-766 or I-688B); (5) An unexpired foreign passport with a valid, unexpired United States visa accompanied by the approved I-94 form documenting the applicant's legal entrance into the United States; (6) A certificate of naturalization issued by the United States Department of Homeland Security (form N-550 or N-570); (7) A certificate of citizenship form N-560 or N-561 issued by the United States Department of Homeland Security; (8) A valid, unexpired United States passport.
Texas Rosendo Martinez Rosendo.martinez@txdps.state.tx.us	Yes	Rule	N/A	<ul style="list-style-type: none"> An original or certified copy of a U.S. Birth Certificate issued by the State (or District of Columbia) Bureau of Vital Statistics or Certificate of U.S. Citizenship Certificate of U. S. Naturalization U.S. Dept. of Justice – Immigration and Naturalization Service Identification Card (form I-179, last issued in April 1983 with expiration date) or U. S. Dept. of Justice – Immigration and Naturalization Service for Resident Citizen of the United States (form I-179, which expires but the card remains valid indefinitely) Unexpired DHS or USCIS document issued for a period of time that must be valid for no less than six months from the date provided on the document with a completed application. The document must contain an identifiable photo. Permanent Resident Card (I-551) – card issued for a 10 year period Permanent Resident Card (I-551) – card issued for a maximum of 2 years Resident Alien Card (I-551) – card issued without expiration date Passport or I-94 stamped "Approved I-551" Passport or I-94 stamped "Processed for I-551"

Jurisdiction Respondent Email Address	Do you have a legal presence requirement for driver license and/or ID card application / issuance?	If yes, is the requirement specified in state statute or administrative rule, or is the legal presence requirement based on other requisite(s)? IF statute, please provide the statutory citation.	If based on other requisites, please describe.	What documents are acceptable to provide proof of legal presence?
				<ul style="list-style-type: none"> • Re-entry Permit I-327 • Temporary Resident Identification Card (I-688) • Employment Authorization Card (I-766) • Refugee Travel Document (I-571) • Advance Parole Document (I-512 or I-512L) • I-94 stamped Sec. 208 Asylee with photo • I-94 stamped Sec. 207 Refugee with photo • Immigration documentation indicating Temporary Protected Authorization Document (EAD)(I-688B or I-766) with category • Valid documentation issued by the U.S. Department of Justice, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, U.S. Bureau of Citizenship and Immigration Services, or any other federal agency that shows Lawful Temporary Admission to the United States
Vermont Michael Smith Michael.Smith@state.vt.us	yes	Statute: 23 V.S.A. §603(d)	n/a	The list is too long to add, attached is the link to the web page. http://dmv.vermont.gov/sites/dmv/files/pdf/DMV-Immigration
Virgin Islands Aymee Santana aymee.santana@bmv.vi.gov aymeesantana@gmail.com	Yes	(State Statute) Title 6- Homeland Security.	Real ID Act of 2005, H.R. 1268, 6CFR, part 37, Subpart B, Section 37.11, (h)(1)(2)	<ul style="list-style-type: none"> • An original or Certified Birth Certificate issued by Vital Statistics • Certified Baptismal Birth certificate • Certified Verification of Birth • Valid U.S. Passport • U.S. Passport Card (issued by DHS) • Certificate of Naturalization • Certificate of Citizenship • Certificate of Birth Abroad • Transportation Worker Identification Credential (TWIC) Card • U.S. Military Identification Card for active duty, retiree or reservist • Department of Defense (DD) Form 214 • I-551 – Residence Alien Card • I-688A or B – Employment Authorization • I-766 – Employment Authorization
Virginia	Yes	State law requires all first-time	N/A	<ul style="list-style-type: none"> • Official birth document issued by a U.S. state, jurisdiction or foreign country

Jurisdiction Respondent Email Address	Do you have a legal presence requirement for driver license and/or ID card application / issuance?	If yes, is the requirement specified in state statute or administrative rule, or is the legal presence requirement based on other requisite(s)? IF statute, please provide the statutory citation.	If based on other requisites, please describe.	What documents are acceptable to provide proof of legal presence
<p>Karen Grim Karen.Grim@dmv.virginia.gov</p> <p>Virginia, <i>continued</i></p>		<p>applicants for a DL/ID to provide proof of legal presence. Anyone holding a valid credential issued prior to 1/1/04 was grandfathered, however, if the credential expires, is cancelled, suspended or revoked, proof of legal presence is required. Va. Code §46.2-328.1.</p>		<p>documents issued by a hospital, notifications of birth regist cards, and foreign birth certificates are not accepted.)</p> <ul style="list-style-type: none"> • Unexpired or expired U.S. passport or U.S. passport card (not accepted.) • U.S. Certificate of Naturalization or U.S. Certificate of Citizenship • Unexpired foreign passport with any one listed below: <ul style="list-style-type: none"> ○ Unexpired or expired U.S. visa and unexpired I-94 ○ F1/F2 applicants must present an I-20 ○ J1/J2 applicants must present a DS-2019 ○ unexpired I-94W ○ Unexpired U.S. Immigrant visa presented within one year ○ Unexpired or expired up to one year I-551 stamp • Unexpired passport from Canada or Micronesia with an unexpired I-94 • USCIS form I-797 displaying applicant's name (Depending on nature of the form, the I-797 may not be accepted.) • Resident Alien Card, Permanent Resident Card, or Northern Mariana Islands Unexpired or expired for not more than one year (Condition of entry next bullet) • Unexpired Permanent Resident Card (I-551) valid for two years as a conditional resident alien • Unexpired or expired not more than one year temporary I-94 with photograph of the bearer • Alien Registration Receipt Card (I-151) • Consular Report of Birth Abroad (FS-240) • Certification of Report of Birth of a U.S. Citizen (DS-1350) • Certificate of Birth Abroad (FS-545) • U.S. Citizen Identification card (I-179, I-197) • Unexpired Re-entry Permit (I-327) • Unexpired Refugee Travel Document (I-571) • Form I-94 Record of Arrival and Departure stamped Refugee, humanitarian parolee (HP), or public interest parolee (PIP) • U.S. Department of Reception and Placement Program Asylum and I-94 stamped Refugee • Asylees may present documentation from the United States Immigration Service or U.S. Immigration Court such as a Form I-94 indicating that asylum has been granted. (Verification is required)

Jurisdiction Respondent Email Address	Do you have a legal presence requirement for driver license and/or ID card application / issuance?	If yes, is the requirement specified in state statute or administrative rule, or is the legal presence requirement based on other requisite(s)? IF statute, please provide the statutory citation.	If based on other requisites, please describe.	What documents are acceptable to provide proof of legal presence?
				<ul style="list-style-type: none"> Applicants for asylum may present an application for asylum documentation from the United States Citizenship and Immigration Court indicating receipt of the application. (Ve
Washington Thalia "Faye" Brown thbrown@dol.wa.gov	No	NA	NA	NA
West Virginia R. Douglas Thompson r.doug.thompson@wv.gov West Virginia, <i>continued</i>	YES	State Statute requires all DL/ID applicants to provide proof of legal presence. 17B-2-12(c).		<ul style="list-style-type: none"> An original or certified copy of a U.S. Birth Certificate issued Valid U.S. Passport U.S. Passport Card (issued by DHS) U.S. Military Identification for active duty, retiree or reserv Certificate of Citizenship Certificate of Naturalization Certificate of Birth Abroad Passport issued by another country, with appropriate immi I-551 – Residence Alien Card – issued since 1997 I-688A or B – Employment Authorization I-766 – Employment Authorization
Wyoming Don Edington Don.edington@dot.state.wy.us	Yes	State Statute		Those documents required by Real-ID

Information in this table was provided by the responding jurisdiction.